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2002 JUL 10 PM 1:12

US PATENT & TRADEMARK
OFFICE

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PATENT

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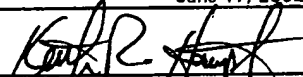
08-18-02

09/06/2002 ECOLBERT 00000001 233000 09385336

01 FC:202 126.00 CH

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Hon. Commissioner of Patents and Trademarks, Washington, D.C. 20231 on

June 17, 2002


Keith R. Haupt R.N6.37,628

June 17, 2002
Date

Serial No: 09/385,336
Filed: August 30, 1999
Applicant: Brian J. Roberts, et al.
Title: COUNTER-TOP DISPENSER
Art Unit: 3724
Examiner: Clark F. Dexter
Att'y Dkt: INLO-33A

Adjustment date: 09/06/2002 ECOLBERT
04/17/2002 GWOOTEN 00000001 233000 09385336
02 FC:202 168.00 CR

Cincinnati, Ohio 45202

June 17, 2002

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

303.00

Sir:

**REQUEST FOR REFUND OF CHARGE TO DEPOSIT ACCOUNT
FOR CLAIMS IN EXCESS OF 20**

Upon review of The United States Patent and Trademark Office Deposit Account Statement for Deposit Account Number 233000, dated April 2002, page, 2, we note two charges on 04/17 to USSN 09385336, one for Fee Code 203: Claims in Excess of Twenty; and one for Code 202: Independent Claims. Applicant believes that both of the 04/17 charges are in error.

The history of the number of claims in this application is as follows:

There were 34 claims in the application as filed on August 30, 1999, at which time the fees for 11 claims in excess of 20, and 4 independent claims in excess of 3, were paid.

On August 4, 2000, in response to a restriction/election requirement mailed by the Patent Office on 07/21/00, Applicant elected the claims of Group V, namely, Claims 1, 2, 7, 8, 27 and 29, which left a total of 6 claims remaining in the application, of which 2 (claims 1 and 27) were independent.

There was no change in the number of claims until, in an amendment dated November 27, 2001, independent claim 1 was canceled and new independent claim 35 and dependent claim 36 were added, making a total of 7 claims in the application, 2 of which were independent.

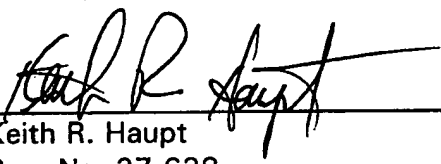
The most recent Amendment was filed on April 3, 2002, responsive to the 02/13/02 Office Action and the 03/05/02 Examiner Interview. Dependent claim 36 was canceled, and new claims 37-48 were added, of which 3 claims (37, 40 and 41) were independent. Therefore, there are 18 claims remaining in the application, 5 of which are independent.

Submitted herewith in connection with the above-identified application is a copy of The United States Patent and Trademark Office Deposit Account Statement for Deposit Account Number 233000, dated April 2002, showing, on page 2, two charges on 4/17 to USSN 09385336, one for Fee Code 203: Claims in Excess of Twenty; and one for Code 202: Independent Claims.

Inasmuch as at the time the application was filed a) the fee for 11 claims in excess of 20 was paid and that during the course of prosecution the total number of claims has not and does not now exceed the original number of 34 claims, and b) that the fee for 4 independent claims in excess of 3 was paid and that during the course of prosecution the total number of independent claims has not and does not now exceed 7, Applicant respectfully requests that the fees of \$135.00 and \$168.00 be credited to deposit account no. 23-3000.

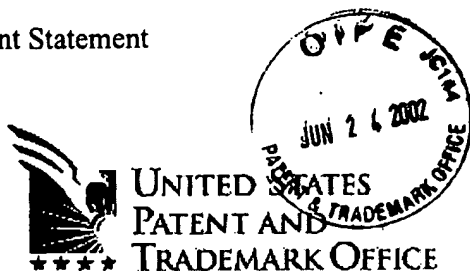
Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.



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Page**Deposit Account Statement**

Requested Statement Month: April 2002
Deposit Account Number: 233000
Name: WOOD HERRON & EVANS, L.L.P.
Attention:
Address: 2700 CAREN TOWER
City: CINCINNATI
State: OH
Zip: 45202

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
04/02	59	76158691	CTR-172-107	364	\$150.00	\$30,351.78
04/02	61	76121250		364	\$150.00	\$30,201.78
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04/08	34	09963823	ESN-41	217	\$460.00	\$29,631.78
04/08	105	60369858		214	\$80.00	\$29,551.78
04/09	79	10116992	SAT/50C1	201	\$370.00	\$29,181.78
04/10	2	09521520	INLO/21	216	\$200.00	\$28,981.78
04/10	3	09781873	NAEG/02	215	\$55.00	\$28,926.78
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04/12	98	6103934		145	\$100.00	\$28,579.78
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04/24	138	09725524	AZTEC-003A	115	\$110.00	\$27,541.78

04/25 9	09460544	IBM/103	148	\$110.00	\$27,431.78
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04/29 39	76226200		362	\$100.00	\$27,491.78
04/30 7	75060577		375	\$100.00	\$27,391.78
04/30 42	10132644	HAWE-03C-	101	\$30.00	\$27,361.78
04/30 108	10133622	GENEV-02-107	101	\$30.00	\$27,331.78

START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE
\$30,501.78	\$5,302.00	\$2,132.00	\$27,331.78

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